

EXHIBIT C

AFFIDAVIT OF DAVID ANTHONY GRUNDY, M.D.

Personally appeared before the undersigned officer duly authorized to administer oaths, DAVID ANTHONY GRUNDY, M.D., who, being first duly sworn, deposes as follows:

1. My name is DAVID ANTHONY GRUNDY, M.D. I am a physician licensed and practicing in the State of California. I was licensed on September 10, 2021, the date of the events in this case. Further details of my professional background are contained in my *curriculum vitae*, which is attached and incorporated by reference.
2. I have been licensed as a physician for over twenty years, and have been practicing through the current date.
3. I have gained personal knowledge of the facts of this case by reading the following records:
 - S Atlanta Veteran Affairs Medical Center discharge records, 9/10/2021
 - S Atlanta Veteran Affairs Medical Center consult requests, 9/10/2021
 - S Atlanta Veteran Affairs Medical Center progress notes, 9/10/2021
4. I am familiar with the standard of care exercised by physicians who undertake to diagnose patients who present as Raleigh Pittman did at Atlanta Veteran Affairs Medical Center as a result of doing and teaching such diagnosis for more than twenty years preceding September 10, 2021, and also through my experience since then.
5. I am familiar with the standard of care exercised by doctors and medical personnel who are charged with examining, diagnosing, and treating patients who present as Raleigh Pittman did at the Atlanta Veteran Affairs Medical Center as a result of supervising and teaching such examining, diagnosing, and treating patients for more than twenty years preceding September 10, 2021, and also through my experience since then.

6. For purposes of this affidavit, I assume the following facts to be true:
 - A. On September 2, 2021, Raleigh Pittman, then 72 years old, was brought to the Atlanta Veteran Affairs Medical Center. The reason for the call was because he fell and injured his hip.
 - B. As of September 9, 2021, the doctors and medical staff at Atlanta Veteran Affairs Medical Center did not perform sufficient medical treatment of Mr. Pittman's injured hip including performing surgical intervention.
 - C. On September 9, 2021, Mr. Pittman suffered multiple cardiac arrests.
 - D. On or around September 10, 2021, 9:54 AM, Dr. Dirir H. Abdullahi attempted abdominal surgery on Mr. Pittman.
 - E. On September 10, 2021, 2:04 PM, medical staff including Dr. Tamra S. McKenzie-Johnson decided additional surgical intervention was unwarranted given the condition of Mr. Pittman.
 - F. On or around September 10, 2021, medical staff decided additional diagnostic or imaging was not feasible due to the patient's instable condition.
 - G. On September 10, 2021, 9:07 a.m. medical staff including Dr. Ashley L. Slappy decided additional surgical intervention was unwarranted, concluding mortality was 60-80% due to multiple organ failure.
 - H. Mr. Pittman died on September 10, 2021.
7. Regarding the doctors and medical staff at the Atlanta Veteran Affairs Medical Center, the standard of care required:
 - S that the doctors and medical staff treat Mr. Pittman's injured hip, including with timely medical intervention and expeditious surgical repair of the broken hip, as soon as

possible to prevent medical complications which may lead to cardiac arrest;

S That the doctors and medical staff treat Mr. Pittman's injured hip, including with medical intervention and surgical repair, before September 9, 2021, or before the passing of seven days;

S That the doctors and medical staff take the action of surgical stabilization of the broken hip as soon as possible and prior to the predictable deterioration of Mr. Pittman's condition resulting from failure to repair the broken hip;

8. I have been asked to assume that "gross negligence" means the failure to exercise even slight care in view of the circumstances;

9. Under this definition, it was gross negligence for the doctors and medical staff to fail to do what the standard of care required as set forth in paragraph 7.

10. That negligence proximately caused the death of Mr. Pittman.


DAVID ANTHONY GRUNDY, M.D.

Sworn to and subscribed before me
This ____ day of September, 2023.

Notary Public

PLEASE SEE ATTACHED
ACKNOWLEDGEMENT/JURAT
FROM NOTARY PUBLIC

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Mateo

Subscribed and sworn to (or affirmed) before me on this 8th
day of September, 2023, by _____

proved to me on the basis of satisfactory evidence to be the
person~~(s)~~ who appeared before me.

(Seal)

Signature Helen Sutherland

